

of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chlorthalonil; Pesticide Tolerance" (FRL No. 8127-9) received on July 26, 2007; to the Committee on Environment and Public Works.

EC-2741. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District and San Joaquin Valley Air Pollution Control District" (FRL No. 8442-4) received on July 26, 2007; to the Committee on Environment and Public Works.

EC-2742. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Rimsulfuron; Pesticide Tolerance" (FRL No. 8139-1) received on July 26, 2007; to the Committee on Environment and Public Works.

EC-2743. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Implementation Plan Revision; State of New Jersey" (FRL No. 8444-9) received on July 25, 2007; to the Committee on Environment and Public Works.

EC-2744. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Clarification of Visible Emissions Exceptions" (FRL No. 8447-6) received on July 25, 2007; to the Committee on Environment and Public Works.

EC-2745. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; States of Arizona and Nevada; Interstate Transport of Pollution" (FRL No. 8443-5) received on July 25, 2007; to the Committee on Environment and Public Works.

EC-2746. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Withdrawal of Direct Final Rule Revising the California State Implementation Plan, San Joaquin Valley Air Pollution Control District" (FRL No. 8444-3) received on July 25, 2007; to the Committee on Environment and Public Works.

EC-2747. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of New Jersey's Title V Operating Permit Program Revision" (FRL No. 8446-4) received on July 25, 2007; to the Committee on Environment and Public Works.

EC-2748. A communication from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Interim Final Regulation for Mental Health Parity" (RIN0938-A083) received on July 27, 2007; to the Committee on Finance.

EC-2749. A communication from the Regulations Coordinator, Center for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "High Risk Pools" (RIN0938-A046) received on July 27, 2007; to the Committee on Finance.

EC-2750. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 2007-61) received on July 27, 2007; to the Committee on Finance.

EC-2751. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to restrictions on assistance to the central government of Serbia; to the Committee on Foreign Relations.

EC-2752. A communication from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Veterans' Preference" (RIN3206-AL33) received on July 26, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC-2753. A communication from the Deputy White House Liaison, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, (31) reports relative to vacancy announcements within the Department, received on July 27, 2007; to the Committee on the Judiciary.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-173. A resolution adopted by the City Council of the City of Miami Gardens, Florida, urging Congress to appropriate the funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Appropriations.

POM-174. A concurrent resolution adopted by the House of Representatives of the State of Louisiana urging Congress to take such actions as are necessary to create a federal catastrophe fund; to the Committee on Banking, Housing, and Urban Affairs.

#### HOUSE CONCURRENT RESOLUTION NO. 17

Whereas, the hurricane seasons of 2004 and 2005 were startling reminders of both the human and economic devastation that hurricanes, flooding, and other natural disasters can cause; and

Whereas, creation of a federal catastrophe fund is a comprehensive, integrated approach to help better prepare and protect the Nation from natural catastrophes, such as hurricanes, tornadoes, wildfires, snowstorms, and earthquakes; and

Whereas, the current system of response to catastrophes leaves many people and businesses at risk of being unable to replace what they lost, wastes tax dollars, raises insurance premiums, and leads to shortages of insurance needed to sustain our economy; and

Whereas, creation of a federal catastrophe fund would help stabilize insurance markets following a catastrophe and help steady insurance costs for consumers while making it possible for private insurers to offer more insurance in catastrophe-prone areas; and

Whereas, a portion of the premiums collected by insurance companies could be deposited into such a fund which could be administered by the United States Treasury and grow tax free; and

Whereas, a portion of the interest earnings of the fund could be dedicated to emergency responder efforts and public education and mitigation programs; and

Whereas, the federal catastrophe fund would operate as a "backstop" and could only be accessed when private insurers and state catastrophe funds have paid losses in excess of a defined threshold; and

Whereas, utilizing the capacity of the Federal Government would help smooth out fluctuations consumers currently experience in insurance prices and availability because of exposure to large catastrophic losses and would provide better protection at a lower price; and

Whereas, when there is a gap between the insurance protection consumers buy and the damage caused by a major catastrophe, taxpayers across the country pay much of the difference, as congressional appropriations of billions of dollars for after-the-fact disaster relief in the aftermath of Hurricane Katrina demonstrated; and

Whereas, there are a number of legislative instruments pending in the current One Hundred Tenth Congress which address the need for a federal catastrophe fund, including the Homeowners Protection Act of 2007 (H.R. 91) and the Commission on Catastrophic Disaster Risk an Insurance Act of 2007 (H.R. 537 and S. 292). Therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to create a federal catastrophe fund. Be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-175. A concurrent resolution adopted by the House of Representatives of the State of Louisiana urging Congress to take such actions as are necessary to either extend the Terrorism Risk Insurance Act to include insurance coverage for natural disasters such as earthquakes and hurricanes or, alternatively, to establish a tax incentive program for insurance companies that provide insurance coverage for such disasters; to the Committee on Banking, Housing, and Urban Affairs.

#### HOUSE CONCURRENT RESOLUTION NO. 50

Whereas, as a result of the devastation caused by Hurricane Katrina and Hurricane Rita to personal residential property, commercial residential property, and commercial property, Louisiana insureds, especially those located in the greater New Orleans area, are at risk with regard to the availability and affordability of personal residential property, commercial residential property, and commercial property insurance; and

Whereas, Hurricane Katrina and Hurricane Rita have created a real threat to the public health, safety, and welfare of the citizens of Louisiana, as well as to the rebuilding efforts of Louisiana citizens in the post-Katrina and Rita era; and

Whereas, Louisiana, as a state located on the coast of the Gulf of Mexico, will continue to be at risk from the threat of hurricanes, further jeopardizing the availability and affordability of personal residential property, commercial residential property, and commercial property insurance. Therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to either extend the Terrorism Risk Insurance Act (TRIA) to include insurance coverage for natural disasters such as

earthquakes and hurricanes or, alternatively, to establish a tax incentive program for insurance companies that provide insurance coverage for natural disasters such as earthquakes and hurricanes. Be it further

*Resolved*, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-176. A concurrent resolution adopted by the House of Representatives of the State of Louisiana urging Congress to take such actions as are necessary to revise the National Flood Insurance Program to extend coverage for other natural disasters; to the Committee on Banking, Housing, and Urban Affairs.

#### HOUSE CONCURRENT RESOLUTION NO. 212

Whereas, the National Flood Insurance Act of 1968 established the National Flood Insurance Program as a means of mitigating flood damages by making flood insurance available in communities that adopt and enforce measures to reduce flood losses; and

Whereas, the National Flood Insurance Program is a federal program that allows property owners to purchase insurance protection against losses due to flooding; and

Whereas, Louisiana as well as other states have significant vulnerability to natural disasters, and when coupled with the lack of appropriate insurance coverage, this may result in a catastrophic impact on the economic, human, and physical environment of the United States; and

Whereas, Hurricanes Katrina and Rita caused unprecedented property damage, loss of life, and the upheaval of societal norms in the state of Louisiana; and

Whereas, the availability and affordability of property insurance has become an issue of paramount importance in a post-Katrina environment that has seen a significant drop in property coverages offered in the private market, unprecedented rate increases, and total risk avoidance in hurricane-prone areas; and

Whereas, revising the National Flood Insurance Program to extend multi-peril insurance coverage for damage resulting from earthquakes, volcanos, tsunamis, and hurricanes would reduce the economic consequences of future natural disasters; and

Whereas, the accessibility of multi-peril insurance coverage through a federally offered program may increase participation in the National Flood Insurance Program, thereby reducing rates due to the aggregate risk pooling of natural disasters; and

Whereas, this goal may be accomplished by generating sufficient premium income to provide insurance protection against disasters and to reduce the government's expenditures for future disaster relief; and

Whereas, the incorporation of a multi-peril mitigation program within the National Flood Insurance Program would afford consumers the protection of a residential insurance program with multi-peril protection. Therefore, be it

*Resolved*, that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to allow the National Flood Insurance Program to extend coverage for other natural disasters. Be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-177. A concurrent resolution adopted by the House of Representatives of the State

of Louisiana urging Congress to take such actions as are necessary to ensure that all all-terrain vehicles sold in the United States meet mechanical equipment standards of the Consumer, Product Safety Commission and that safety information and training are being provided to all purchasers of all-terrain vehicles; to the Committee on Banking, Housing, and Urban Affairs.

#### HOUSE CONCURRENT RESOLUTION NO. 274

Whereas, the United States Consumer Product Safety Commission (CPSC) is charged with protecting the public from unreasonable risks of serious injury or death from more than fifteen thousand types of consumer products under the agency's jurisdiction, and the commission is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children; and

Whereas, despite success in general, injuries and deaths resulting from the use of all-terrain vehicles (ATVs), particularly involving children, are on the rise; and

Whereas, a CPSC staff report from 2005 includes the following ATV-related injury and death data:

In 2003, there were an estimated seven hundred forty deaths associated with ATVs.

In 2001, the most recent year for which death data collection is complete, twenty-six percent of the reported deaths were of children under sixteen years old.

The estimated risk of death was 1.1 deaths per ten thousand four-wheeled ATVs in use in 2003.

The estimated number of A TV-related emergency-room-treated injuries for all ages in 2004 was one hundred thirty-six thousand one hundred, an increase of ten thousand six hundred from 2003. This increase was statistically significant.

Children under sixteen years of age accounted for forty-four thousand seven hundred, or thirty-three percent, of the total estimated number of injuries in 2004.

There were about one hundred eighty-eight emergency-room-treated injuries per ten thousand four-wheeled ATVs in use in 2004; and

Whereas, currently ATVs are subject only to voluntary standards and Letters of Undertaking entered into by the CPSC and the major manufacturers; and

Whereas, there are gaps in the current, voluntary system of regulating the industry; primary among them is the fact that the regulations do not apply to "new entrants", that is, those manufacturers who have not agreed to participate in the standards; and

Whereas, despite a recommendation from its own staff that equipment standards and safety measures should be applied to all manufacturers and distributors, the CPSC has failed to adopt final mandatory regulations applicable to ATVs; and

Whereas, in the interest of saving lives and preventing injury, it is appropriate that Congress get involved in this issue: Therefore be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to do all of the following:

(1) Require the Consumer Product Safety Commission to promulgate a consumer product safety standard for all-terrain vehicles. The standard shall be the same as the American National Standard for Four Wheel All-Terrain Vehicles-Equipment, Configuration, and Performance Requirements ANSI/SVIA-1-2001 or its successor standard.

(2) Require each manufacturer or importer of an all-terrain vehicle to which the ATV standard applies to submit an action plan to the commission for its approval. Such plan

shall include the offer of free rider training, dissemination of safety information, age recommendations, the monitoring of such sales, and other safety-related measures.

(3) Prohibit a manufacturer or importer of all-terrain vehicles from distributing an all-terrain vehicle in commerce unless the manufacturer or importer has complied with its obligations under its action plan that has been approved by the commission.

(4) Require each all-terrain vehicle to which the ATV standard applies to bear a permanent label certifying that the all-terrain vehicle complies with the consumer product safety standard and is subject to an action plan accepted by the commission; identifies the manufacturer or importer issuing the certification; and contains sufficient information to enable the commission to identify the particular action plan that applies to that all-terrain vehicle; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-178. A resolution adopted by the General Assembly of the State of New Jersey urging Congress to reinstate its offshore water quality testing program along the New Jersey coastline; to the Committee on Environment and Public Works.

#### ASSEMBLY RESOLUTION NO. 270

Whereas, The United States Environmental Protection Agency has conducted a seasonal offshore monitoring program by helicopter for the last 30 years along the New Jersey coastline that searched for and tested the presence of dissolved oxygen and enterococci (i.e., fecal) bacteria in ocean waters; and

Whereas, The existence of certain levels of dissolved oxygen and enterococci bacteria are precursors or indicators of potential fish kills and harmful algal blooms or "brown tide"; and

Whereas, The United States Environmental Protection Agency has announced that it is terminating this offshore water testing program in favor of alternative methods of testing for these environmental indicators; and

Whereas, A massive algal bloom appeared in Raritan and Sandy Hook Bays in late May 2007, turning coastal ocean waters brown from Sandy Hook to Manasquan, thereby re-emphasizing the need for the continuation of the federal ocean water testing program; and

Whereas, The State, counties and municipalities affected by the termination of the federal ocean water testing program do not have the logistical or financial capability to continue or replace this program in time for the 2007 summer shore season; and

Whereas, New Jersey has a coastline of beautiful beaches which is not only one of the State's greatest natural resources but also is vital to the State's economy through the billions of dollars generated from shore-related tourism; and

Whereas, The United States Environmental Protection Agency is continuing the use of its coastal monitoring helicopter to conduct surveillance of floatable objects in the ocean off the coast of New Jersey and therefore could reinstate the ocean water testing program in an expeditious manner without undue financial or logistical hardships; Now, therefore, be it

*Resolved*, by the General Assembly of the State of New Jersey:

(1) This House opposes the decision by the United States Environmental Protection Agency to terminate the offshore ocean

water quality testing program along the coast of New Jersey and urges that it be reinstated immediately.

(2) Duly authenticated copies of this resolution, signed by the Speaker of the Assembly and attested by the Clerk thereof, shall be transmitted to the President and Vice-President of the United States, the Administrator of the United States Environmental Protection Agency, the Region II Administrator of that agency, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, each member of the Congress of the United States elected from this State, and the Commissioner of the New Jersey Department of Environmental protection.

POM-179. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to vote in favor of H.R. 1229, the Non-Market Economy Trade Remedy Act of 2007; to the Committee on Finance.

#### SENATE CONCURRENT RESOLUTION NO. 115

Whereas, H.R. 1229, the "Non-Market Economy Trade Remedy Act of 2007," will ensure that the United States countervailing duty law applies to imports from non-market economies; and

Whereas, the purpose of the countervailing duty law is to offset any unfair competitive advantage that foreign manufacturers or exporters have as a result of subsidies; and

Whereas, manufacturing is a vital part of the American economy; and

Whereas, each American manufacturing job results in the creation of approximately four additional jobs; and

Whereas, since 1997, Louisiana has lost over thirty-nine thousand manufacturing jobs due to unfair trade practices; and

Whereas, Louisiana's coastal area is home to some of the Nation's premiere commercial fisheries, accounting for 30 percent of the commercial fisheries production of the lower 48 States; and

Whereas, the Louisiana seafood industry provides an annual economic impact of approximately two billion eight hundred million dollars and over thirty-one thousand jobs; and

Whereas, the Louisiana seafood industry has lost over eleven thousand jobs and millions of dollars due to illegally subsidized seafood imports and dumping from foreign nations; and

Whereas, industries that once were the pride of their communities and employed generations of the same family have been shut down resulting from jobs being shifted to foreign nations where labor is cheap and environmental standards are not enforced; and

Whereas, billions of dollars in wages and millions of jobs are expected to move from the United States to low-cost nations by 2015; and

Whereas, H.R. 1229, the "Non-Market Economy Trade Remedy Act of 2007," is being considered in Congress to correct the long-standing inequity of trade law, and requires the Department of Commerce to take action in countervailing duty cases in support of American businesses: Now, therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to vote in favor of H.R. 1229, the "Non-Market Economy Trade Remedy Act of 2007"; and be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-180. A resolution adopted by the Senate of the State of Wisconsin urging Congress to create a system that ensures that trade agreements are developed and implemented using a democratic, inclusive mechanism that enshrines the principles of federalism and state sovereignty; to the Committee on Finance.

#### SENATE RESOLUTION NO. 8

Whereas, democratic, accountable governance in the States, generally, and the authority granted by the Wisconsin constitution to the legislative branch, specifically, are being undermined by international commercial and trade rules enforced by the World Trade Organization (WTO) and established by the North American Free Trade Agreement (NAFTA) and are further threatened by similar provisions in an array of pending trade agreements; and

Whereas, today's "trade" agreements have impacts that extend significantly beyond the bounds of traditional trade matters, such as tariffs and quotas, and instead grant foreign investors and service providers certain rights and privileges regarding acquisition of land and facilities and regarding operations within a State's territory, subject State laws to challenge as "nontariff barriers to trade" in the binding dispute resolution bodies that accompany the pacts, and place limits on the future policy options of State legislatures; and

Whereas, NAFTA and other U.S. free trade agreements grant foreign firms new rights and privileges for operating within a State that exceed those rights and privileges granted to U.S. businesses under State and Federal law; and

Whereas, NAFTA already has generated "regulatory takings" cases against State and local land-use decisions, State environmental and public health policies, adverse State court rulings, and State and local contracts that would not have been possible in U.S. courts; and

Whereas, when States are bound to comply with government procurement provisions contained in trade agreements, common economic development and environmental policies, such as buy-local laws, prevailing wage laws, and policies to prevent offshoring of State jobs, as well as recycled content laws, could be subject to challenge as violating the obligations in the trade agreements; and

Whereas, recent trade agreements curtail State regulatory authority by placing constraints on future policy options; and

Whereas, the WTO general agreement on trade in services (GATS) could undermine State efforts to expand health care coverage and rein in health care costs and places constraints on State and local land-use planning and gambling policy; and

Whereas, new GATS negotiations could impose additional constraints on State regulation of energy, higher education, professional licensing, and other areas; and

Whereas, despite the indisputable fact that international trade agreements have a far-reaching impact on State and local laws, Federal Government trade negotiators have failed to respect States' rights to prior informed consent before binding States to conform State law and authority to trade agreement requirements and have refused even to inform State legislatures of key correspondence; and

Whereas, the current encroachment on State regulatory authority by international commercial and trade agreements has occurred in no small part because U.S. trade policy is being formulated and implemented under the Fast Track Trade Authority procedure; and

Whereas, Fast Track eliminates vital checks and balances established in the U.S.

Constitution by broadly delegating to the executive branch Congress's exclusive constitutional authority to set the terms of trade, such that the executive branch is empowered to negotiate broad-ranging trade agreements and to sign them prior to Congress voting on the agreements; and

Whereas, the ability of the executive branch to sign trade agreements prior to Congress's vote of approval means that executive branch negotiators can ignore congressional negotiating objectives or States' demands, and neither Congress nor the States have any means to enforce any decision regarding what provisions must be contained in every U.S. trade agreement or what provisions may not be included in any U.S. trade agreement; and

Whereas, Federal trade negotiators have ignored and disrespected States' demands regarding whether States agree to be bound to certain nontariff trade agreement provisions; and

Whereas, Fast Track also circumvents normal congressional review and amendment committee procedures, limits debate to 20 hours, and forbids any floor amendments to the implementing legislation that is presented to Congress to conform hundreds of U.S. laws to trade agreement obligations and to incorporate the actual trade agreement itself into U.S. Federal law that preempts State law; and

Whereas, Fast Track is not necessary for negotiating trade agreements as demonstrated by the existence of scores of trade agreements, including major pacts, implemented in the past 30 years without use of Fast Track; and

Whereas, Fast Track, which was established in 1974 by President Richard Nixon when trade agreements were limited to traditional matters, such as tariffs and quotas, is now woefully outdated and inappropriate given the diverse range of nontrade issues now included in "trade" agreements that broadly affect State and Federal nontrade regulatory authority; and

Whereas, the current grant of Fast Track expires in June 2007: Now, therefore, be it

*Resolved, by the Senate, That:*

(1) The U.S. Congress be urged to create a replacement for the outdated Fast Track system so that U.S. trade agreements are developed and implemented using a more democratic, inclusive mechanism that enshrines the principles of federalism and State sovereignty.

(2) This new process for developing and implementing trade agreements include an explicit mechanism for ensuring the prior informed consent of State legislatures before States are bound to the nontariff terms of any trade agreement that affects State regulatory authority to ensure that the United States trade representative respects the decisions made by States.

(3) Copies of this resolution be sent to President George W. Bush, Ambassador Susan Schwab, U.S. Trade Representative, the President of the U.S. Senate, the Speaker of the House of Representatives, and the Wisconsin Congressional Delegation.

POM-181. A concurrent resolution adopted by the House of Representatives of the State of Louisiana urging Congress to take such actions as are necessary to examine the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide prenatal care to immigrants; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 258

Whereas, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193, (PRWORA) significantly changed the eligibility of noncitizens for federal means-tested public benefits, including

Medicaid and the State Children's Health Insurance Program; and

Whereas, as a general rule, only "qualified aliens" as defined in §431 of PRWORA maybe eligible for coverage; and

Whereas, some immigrants cannot be eligible for coverage for five years from the date they enter the country as a qualified alien; and

Whereas, the five-year bar only applies to qualified aliens who entered the United States on or after August 22, 1996, unless they meet one of the exceptions in PRWORA; and

Whereas, the five-year bar never applies to immigrants who are applying for treatment of an emergency medical condition only; and

Whereas, under PRWORA all immigrants, both qualified and non-qualified aliens as well as those who are residing in the country in an undocumented status, may be eligible for treatment of an emergency medical condition only, provided that they otherwise meet the eligibility criteria for the state's Medicaid program; and

Whereas, if prenatal care was provided for immigrants who are currently not eligible, there would likely be a great return on the money because once the baby is born in the United States, it becomes a citizen and may possibly receive Medicaid benefits; and

Whereas, it would be beneficial to our citizens if the Federal Government would study the costs of providing prenatal care versus the costs for caring for a preterm baby; and

Whereas, changes in the PRWORA may save the lives of many preterm babies born to immigrants in this country; and

Whereas, this Resolution is executed in memory of baby Jui; Now, therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to examine the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide prenatal care to immigrants; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-182. A communication from the House of Representatives of the State of Louisiana urging Congress to take such actions as are necessary to provide the same tax breaks and federal financial assistance to Louisiana residents affected by Hurricane Rita as those afforded to Louisiana residents affected by Hurricane Katrina; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 223.

Whereas, in August and September 2005, Louisiana was decimated by multiple hurricanes striking the state, resulting in a combination of natural disasters of unprecedented proportions in American history; and

Whereas, these disasters caused a burden no state has ever had to bear, including the loss of life, livelihoods, and homes, destruction and damage to public buildings and public works, and damage to its coastal wetlands and coastline; and

Whereas, the citizens, businesses, communities, schools, and state and local governments of Louisiana have suffered tremendous loss; and

Whereas, the ramifications of these events continue to affect every citizen of the state as we continue to struggle to rebuild our lives, homes, businesses, and communities; and

Whereas, because of the mass devastation and loss of life suffered by the citizens of New Orleans and southeast Louisiana as a

result of Hurricane Katrina, congress acted quickly in granting victims and survivors of Hurricane Katrina various tax breaks and federal financial assistance aimed at long-term recovery; and

Whereas, although the devastation realized as a result of Hurricane Rita was not as large-scale as the devastation of Hurricane Katrina, the victims and survivors of Hurricane Rita who lost their homes, businesses, livelihoods, and entire communities are suffering every bit as much as the citizens affected by Hurricane Katrina; and

Whereas, the citizens of southwest Louisiana are in need for congress to act quickly in granting them the same tax breaks and federal financial assistance as was granted to the victims and survivors of Hurricane Katrina in order to sustain long-term recovery; Now, therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to provide the same tax breaks and federal financial assistance to Louisiana residents affected by Hurricane Rita as those afforded to Louisiana residents affected by Hurricane Katrina; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-183. A resolution adopted by the House of Representatives of the State of Illinois establishing May 2007 as Amyotrophic Lateral Sclerosis Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE JOINT RESOLUTION NO. 58

Whereas, Amyotrophic lateral sclerosis or ALS is better known as Lou Gehrig's disease; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the lower motor neurons in the gray matter of the anterior horns of the spinal cord; and

Whereas, The initial symptom of ALS is weakness of the skeletal muscles, especially those of the extremities; and

Whereas, As ALS progresses the patient experiences difficulty in swallowing, talking, and breathing; and

Whereas, ALS eventually causes muscles to atrophy and the patient becomes a functional quadriplegic; and

Whereas, ALS does not affect a patient's mental capacity, so that the patient remains alert and aware of his or her loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, On average, patients diagnosed with ALS only survive two to five years from the time of diagnosis; and

Whereas, research indicates that military veterans are at a 50% or greater risk of developing ALS than those who have not served in the military; and

Whereas, ALS has no known cause, means of prevention, or cure; and

Whereas, Amyotrophic Lateral Sclerosis Awareness Month increases the public's awareness of ALS patients' circumstances and acknowledges the terrible impact this disease has not only on the patient but on his or her family and the community and recognizes the research being done to eradicate this horrible disease; Now, therefore, be it

*Resolved*, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, *The Senate concurring herein*, that we proclaim the month of May 2007 as Amyotrophic Lateral Sclerosis Awareness

Month in the State of Illinois; and be it further

*Resolved*, That we memorialize the President and Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and eventually a cure for amyotrophic lateral sclerosis; and be it further

*Resolved*, That suitable copies of this resolution be presented to the President of the United States and each member of the Illinois congressional delegation.

POM-184. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to address certain concerns relative to the reauthorization of the No Child Left Behind Act; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE RESOLUTION NO. 396

Whereas, The federal No Child Left Behind Act of 2001 (NCLB) requires reauthorization in 2007; Now therefore, be it

*Resolved*, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That we urge the United States Congress to address the following concerns when considering the reauthorization of NCLB:

(1) allow states the flexibility to use growth model assessment models to enhance existing measures of student progress;

(2) provide flexibility in program implementation with respect to varying student and teacher needs related to diversity of geography, wealth, and background;

(3) revise assessment guidelines for special needs students so that such students are more fairly assessed considering their specific individualized education programs and, therefore, better served;

(4) resolve other contradictions between NCLB and the Individuals with Disabilities Education Act (IDEA);

(5) address issues arising from students who are counted in multiple groups when determining adequate yearly progress;

(6) allow schools to offer, and provide full funding for, important supplemental education services before schools are forced to offer choice;

(7) provide greater flexibility when determining the sizes of groups regarding assessment subgroups;

(8) school improvement grants must be funded so that the sanctions placed on schools will result in improved student achievement and the reversal of negative trends;

(9) seek greater consistency in state certification criteria and the federal "highly qualified" designation;

(10) the highly qualified teacher provisions of NCLB require clarification, greater flexibility regarding alignment with state certification, and appropriate, specific, technical assistance in order to ensure compliance; and

(11) resident school districts of special needs students attending private schools must pay for IDEA services delivered at a private school; and be it further

*Resolved*, That suitable copies of this resolution be delivered to President of the United States George W. Bush, United States Secretary of Education Margaret Spellings, and each member of the Illinois congressional delegation.

POM-185. A resolution adopted by the Senate of the State of Michigan urging Congress to enact the Education Begins at Home Act; to the Committee on Health, Education, Labor, and Pensions.

## SENATE RESOLUTION NO. 61

Whereas, each year, an estimated 2.7 million children in America are abused or neglected, including 900,000 cases that are actually investigated and verified by overburdened state child protection systems. Nationally, more than 1,400 children die from abuse or neglect each year. Over half of them were previously unknown to child protective services. In Michigan during 2005, 147,628 families were investigated for suspected child maltreatment. In those families investigated, 28,154 children were confirmed to be victims of child abuse and neglect. Of all confirmed cases of abuse and neglect, more than a third involved children three years old or younger. Another 19,265 children were in out-of-home placement as the result of child abuse and neglect and delinquency; and

Whereas, children who survive abuse or neglect likely carry the emotional scars for life, while studies also show that being abused or neglected multiplies the risk that a child will grow up to be violent. The best available research indicates that, based on confirmed cases of child abuse and neglect in just one year, of these children, there will be an additional 35,000 adult violent criminals and more than 250 murderers who would never have become violent criminals if not for the abuse or neglect they endured as children. Fortunately, evidence-based in-home parent coaching programs can prevent child abuse and neglect and reduce later crime and violence. In general, these programs provide voluntary coaching to parents of children up to five years old in home settings for some period of time; and

Whereas, a number of programs exist to help parents. The Nurse Family Partnership randomly assigned interested at-risk pregnant women to receive in-home visits by nurses starting before the birth of the first child and continuing until the child was two years old. The program cut abuse and neglect among at-risk children in half according to research published in a leading medical journal. In addition, children of mothers who received this coaching had 59 percent fewer arrests by age 15 than the children of mothers who were not coached. Yet this program reaches only a tiny fraction of eligible parents. Other major home-visiting programs include Parents as Teachers, Healthy Families America, Early Head Start, Home Instruction for Parents of Preschool Youngsters, and the Parent-Child Home Program. However, hundreds of thousands of at-risk mothers across the country receive no in-home parent coaching. The impacts of child abuse and neglect cost Americans \$94 billion a year. In 2005, the direct cost of child abuse and neglect in Michigan was an estimated \$531,744,598. Prevention efforts such as Michigan's 0-3 Secondary Prevention Initiative, which reflects the use of a variety of program models, saved an estimated \$41,268,095 in direct costs associated with child abuse and neglect; and

Whereas, in the 109th Congress, Senator Bond and Representatives Davis and Platts, together with many of their colleagues, co-sponsored the bipartisan Education Begins at Home Act in the Senate and House (S. 503/H.R. 3628) to provide grants to help states establish or expand voluntary in-home parent-coaching programs for families with young children. The Education Begins at Home Act would have authorized \$400 million over three years in grants from the United States Department of Health and Human Services for voluntary in-home parent-coaching programs. The Education Begins at Home Act would also have authorized \$100 million over three years in grants for voluntary in-home parent-coaching programs for English language learners and military families. These

programs would strengthen Early Head Start, which includes center-based and in-home parent coaching components. Each of the major home-visiting programs operates in Michigan, and the Education Begins at Home Act would allow program flexibility so that states would not be tied to one particular model. These voluntary programs would help new parents learn skills to promote healthy child development and be better parents; Now: therefore, be it

*Resolved by the Senate*, That we memorialize the United States Congress to reintroduce an expanded Education Begins at Home Act. We encourage sponsors of the new bill to include separate funding authorization levels for each of the next five years, to target funding first toward jurisdictions with the greatest need, and to ensure that funding priority be given to evidence-based approaches that deliver effective results in improving outcomes for children and families; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-186. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to take a proactive role in assisting the communities of New Orleans East in protecting their health and safety and in promoting economic development; to the Committee on Health, Education, Labor, and Pensions.

## SENATE CONCURRENT RESOLUTION NO. 134

Whereas, the health, safety, welfare, and economic recovery of the residents and businesses of New Orleans East are dependent upon the continued assistance and encouragement from our federal partners; and

Whereas, the Legislature of Louisiana created the New Orleans Regional Business Park as a special municipal district for the primary purpose of engaging industrial, manufacturing, processing, assembling, distribution, and wholesale businesses; and

Whereas, as of early May 2006, approximately forty companies out of one hundred four pre-Katrina were back in business and the future of the others is largely uncertain; and

Whereas, New Orleans East has become the illegal burial grounds for homes and businesses washed out by hurricanes Katrina and Rita; and

Whereas, illegal dumping makes it extremely hard to attract businesses to New Orleans East and to the business park; and

Whereas, in the business park alone there are twenty-three known illegal dumping sites and thirteen illegal automobile dumping sites; and

Whereas, the U.S. Environmental Protection Agency awarded the business park \$400,000 in grants to catalogue contamination, but none of the federal funds will be used for cleanup; and

Whereas, the Louisiana Department of Environmental Quality Enforcement Division, Surveillance Division and Criminal Investigations Section of the Legal Affairs Division have inspected over one hundred seventy-five sites and found potential environmental violations on one hundred fifty of these sites in the Almonaster/Gentilly area alone; and

Whereas, on one of these sites, sixty-five thousand cubic yards of debris or approximately an eleven foot tall mound of debris was found to have been illegally dumped on this one site in New Orleans East; and

Whereas, the illegal piles of debris do not have protective barriers to keep whatever

poisons are in the piles contained and from leaking out into the wetlands surrounding this area; and

Whereas, numerous federal agencies have roles and responsibilities in the health, safety, and economic development after hurricanes Katrina and Rita which range from debris removal, oversight of regulations, and recovery funding; and

Whereas, the removal of all dump sites within the New Orleans Regional Business Park will improve the health, safety, and economic development; Now Therefore, be it *Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to urge and request the respective executive branch departments to take a proactive role in assisting the communities of New Orleans East in protecting their health and safety and in promoting economic development; and be it further

*Resolved*, That the Legislature of Louisiana does hereby request the Congress of the United States and the appropriate federal agencies, in coordination with appropriate Louisiana state agencies, to immediately take the following actions: (a) cease funding any waste disposal activities within the New Orleans Regional Business Park, except for the city of New Orleans' landfill known as the Gentilly Landfill which is legally permitted and should continue working with all state and federal agencies; (b) develop and implement procedures for expeditious environmental sampling, analysis, and reporting; (c) resolve the blurring of debris management responsibilities between the Federal Emergency Management Agency and Environmental Protection Agency, and state environmental and public health agencies; (d) review and enhance the Environmental Protection Agency's oversight role of illegal and improper debris disposal; and (e) provide guidance and mechanisms for the development of public/private partnerships in restoring and redeveloping the New Orleans Regional Business Park and the New Orleans East community; and be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-187. A concurrent resolution adopted by the Senate of the State of New Hampshire urging Congress to fully fund the federal government's share of special education services under the Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

Whereas, since its enactment in 1975, the Individuals with Disabilities Education Act (IDEA) has helped millions of children with special needs to receive a quality education and to develop to their full capacities; and

Whereas, IDEA has moved children with disabilities out of institutions and into public school classrooms with their peers; and

Whereas, IDEA has helped break down stereotypes and ignorance about people with disabilities, improving the quality of life and economic opportunity for millions of Americans; and

Whereas, when the federal government enacted IDEA, it promised to fund up to 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, the federal government currently funds, on average, less than 17 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, local school districts and state government end up bearing the largest share of the cost of special education services; and

Whereas, the federal government's failure to adequately fulfill its responsibility to special needs children undermines public support for special education and creates hardship for disabled children and their families; and

Whereas, the general court is currently challenged with the responsibility of defining and funding an adequate education for all children in this state; and

Whereas, these legislative efforts are significantly burdened and constrained by the costs incurred by the federal government's failure to meet its full financial promise under IDEA: Now, therefore, be it

*Resolved by the Senate, the House of Representatives concurring,* That the New Hampshire general court urges the President and the Congress, prior to spending any surplus in the federal budget, to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States as promised under IDEA to ensure that all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; and be it further

*Resolved,* That copies of this resolution be forwarded by the senate clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the New Hampshire congressional delegation.

POM-188. A concurrent resolution adopted by the House of Representatives of the State of Louisiana urging Congress to take such actions as are necessary to forgive student loans of college graduates who move to Louisiana to support activities to rebuild and revitalize communities damaged by Hurricane Katrina or Rita; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE CONCURRENT RESOLUTION NO. 15

Whereas, there are currently student loan forgiveness programs administered by the United States Department of Education for Stafford Loan recipients who serve as teachers serving low-income students and some childcare providers serving in low-income areas; and

Whereas, there are currently student loan forgiveness programs administered by the United States Department of Education for Perkins Loan recipients who serve as teachers serving low-income students, Head Start staff, special education teachers or providers, members of the armed forces in an area of hostilities, Vista or Peace Corps volunteers, full-time law enforcement and corrections officers, full-time teachers in shortage areas, full-time nurses and medical technicians, and service providers to high-risk children and families in low-income communities; and

Whereas, the United States Military and federal agencies may pay all or a portion of an individual's student loans based on years of service; and

Whereas, these loan forgiveness and repayment programs, by decreasing the financial demands on recent college graduates, provide incentive for individuals to work in professions and for pay that would otherwise not be economically feasible; and

Whereas, the needs and demands for assistance in the areas damaged by Hurricanes Katrina and Rita to children and families exceed the services provided by education to low-income schools, the federal government, Vista, law enforcement, or the medical community: Now, therefore, be it

*Resolved,* That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to expand the student loan forgive-

ness programs currently provided by the United States Department of Education to provide for loan forgiveness of Stafford Loan and Perkins Loan recipients for college graduates who relocate to Louisiana to support efforts to rebuild and revitalize communities damaged by Hurricane Katrina or Rita; and be it further

*Resolved,* That such efforts shall include but not be limited to partial or total forgiveness of loans for individuals employed by public and nonprofit agencies and providing services to communities damaged by Hurricane Katrina or Rita; and be it further

*Resolved,* That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-189. A resolution adopted by the House of Representatives of the State of Louisiana urging Congress to fulfill the commitment to the citizens of Louisiana to fully fund recovery from damages resulting from Hurricanes Katrina and Rita; to the Committee on Homeland Security and Governmental Affairs.

#### HOUSE RESOLUTION NO. 68

Whereas, in August and September 2005, the state of Louisiana experienced two of the most damaging natural disasters to occur in the United States with Hurricanes Katrina and Rita; and

Whereas, as a result of these devastating events, the President's Office of Gulf Coast Rebuilding estimated that over one hundred twenty-seven thousand owner-occupied homes received major or severe damage based on the criteria used by the Federal Emergency Management Agency; and

Whereas, in the aftermath of Hurricane Katrina, President George W. Bush made a commitment to the people of Louisiana, in a nationally covered statement, that the federal government would do what was necessary to provide for the recovery of the state and its citizens; and

Whereas, the state of Louisiana has always proposed that The Road Home Program pay for owner-occupied uninsured or underinsured wind damage as well as flood damage within the parameters of the program; and

Whereas, in Action Plan Amendment No.1 proposed by the Louisiana Recovery Authority, captioned Action Plan Amendment for Disaster Recovery Funds for The Road Home Housing Program, which, according to news releases, was approved by the United States Department of Housing and Urban Affairs in May 2006, it was clearly stated in the program proposed to provide "the full proposed assistance to all of the Louisiana homeowners who suffered major or severe damage" and stated, "It is the State's policy that participants in the Homeowner Assistance Program deserve a fair and independent estimate or projection of damages from the storm, regardless of the cause of the damage"; and

Whereas, according to federal sources, 43,298 homeowners experienced no major flooding but major or severe wind damage; and

Whereas, since the adoption of the Action Plan Amendment No.1, the state has experienced increased costs in the program, resulting in a current three billion dollar shortfall, duly from a combination of factors, including an increase in the number of eligible claimants from the original estimates by approximately eleven thousand, more homes severely damaged than originally estimated, increased costs per eligible claimant than originally estimated, lower than anticipated homeowner property insurance claim bene-

fits received from private insurers, and higher than estimated costs of repair and construction: Therefore, be it

*Resolved,* That the House of Representatives of the Legislature of Louisiana memorializes the Congress of the United States and urges and requests the federal administration to fulfill the commitment to the citizens of Louisiana to fully fund recovery from damages resulting from Hurricanes Katrina and Rita; and be it further

*Resolved,* That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, to each member of the Louisiana delegation to the United States Congress, and to the president of the United States.

POM-190. A concurrent resolution adopted by the House of Representatives of the State of Louisiana urging Congress to take such actions as are necessary to grant an extension to Louisiana with regard to the deadlines for implementing the provisions of the Adam Walsh Child Protection and Safety Act of 2006; to the Committee on the Judiciary.

#### HOUSE CONCURRENT RESOLUTION NO. 251

Whereas, the United States Congress enacted the Adam Walsh Child Protection and Safety Act of 2006 to provide for a comprehensive national system for the registration of sex offenders and child predators; and

Whereas, the Act provides for a set of minimum standards governing the sex offender registration and notification programs in each state to provide for a more effective method of tracking offenders nationwide; and

Whereas, the federal legislation made significant changes in the manner in which sex offenders and child predators register with law enforcement agencies, including but not limited to requiring offenders to provide additional information to law enforcement at the time of registration, increasing the length of time in which an offender must maintain registration, and requiring offenders to register in the jurisdiction of residence, employment, or enrollment; and

Whereas, Section 126 of the Adam Walsh Child Protection and Safety Act of 2006 authorizes bonus payments for states or other jurisdictions that substantially implement the federal provisions not later than two years after the enactment date; and

Whereas, although the federal legislation created incentive grant programs for those states who implement the new requirements within the first two years after the enactment of the Adam Walsh Act, the United States Department of Justice only recently issued the proposed National Guidelines for Sex Offender Registration and Notification, which were intended to provide further guidance to states in implementing the provisions of the Adam Walsh Act; and

Whereas, the proposed National Guidelines for Sex Offender Registration and Notification were issued in May of this year, over a month after the 2007 Regular Session of the Louisiana Legislature began; and

Whereas, these guidelines, although issued in May, will not become finalized prior to the end of the 2007 Regular Session and are subject to change until that time; and

Whereas, legislation was introduced in the Louisiana Legislature by Representative Cazayoux (House Bill No. 970) to amend Louisiana's sex offender registration and notification provisions to comply with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2007; and

Whereas, once the National Guidelines for Sex Offender Registration and Notification are finalized, it will be necessary to review and analyze Louisiana's laws on sex offender



registration and notification to determine if additional changes are necessary: Therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to grant an extension to Louisiana with regard to the deadlines for implementing the provisions of the Adam Walsh Child Protection and Safety Act of 2006, and federal guidelines adopted pursuant thereto, regarding Louisiana's eligibility to receive incentive grants created by the Adam Walsh Act; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-191. A concurrent resolution adopted by the House of Representatives of the State of Louisiana urging Congress to take such actions as are necessary to ensure the passage of the Online Pharmacy Consumer Protection Act of 2007; to the Committee on the Judiciary.

#### HOUSE CONCURRENT RESOLUTION NO. 106

Whereas, a great number of rogue online pharmacy web sites offer controlled substances for sale based simply on the results of a cursory online questionnaire and without the need for a valid prescription; and

Whereas, Senators Dianne Feinstein of California and Jeff Sessions of Alabama have introduced Senate Bill No. 980 in the first session of the One Hundred Tenth Congress, the Online Pharmacy Consumer Protection Act of 2007, to combat abuse by rogue online pharmacy web sites; and

Whereas, the Act requires a valid prescription and physician-patient relationship in order for a controlled substance to be dispensed through an online pharmacy; and

Whereas, the Act requires an online pharmacy to file a registration statement with the attorney general as well as report controlled substances dispensed under such registration; and

Whereas, the Act mandates that an online pharmacy comply with state law licensure requirements for both the state from which it delivers a controlled substance and the state to which it delivers a controlled substance; and

Whereas, the Act requires that the web site of an online pharmacy prominently display identifying information about the business, a list of states in which the pharmacy is licensed, all applicable licenses and certifications, and identifying information about the practitioners who provide medical consultations through the web site; and

Whereas, the Act provides criminal penalties for any individual or entity who unlawfully dispenses controlled substances online, gives state attorneys general the right to file a civil action against an individual or entity who violates the Act if the violation has affected residents of the state, and allows the federal government to seize any tangible or intangible property which has been used illegally by an online pharmacy. Therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to ensure the passage of the Online Pharmacy Consumer Protection Act of 2007. Be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-192. A resolution adopted by the Senate of the State of Texas urging Congress to support legislation for veterans' health care budget reform to allow assured funding; to the Committee on Veterans' Affairs.

#### SENATE RESOLUTION NO. 594

Whereas, Military veterans who have served their country honorably and who were promised and have earned health care and benefits from the federal government through the Department of Veterans Affairs are now in need of these benefits; and

Whereas, Federal discretionary funding is controlled by the executive branch and the United States Congress through the budget and appropriations process; and

Whereas, Direct funding provides the Department of Veterans Affairs with a reliable, predictable, and consistent source of funding to provide timely, efficient, and high-quality health care for our veterans; and

Whereas, Currently almost 90 percent of federal health care spending is direct rather than discretionary, and only the funding for health care for active duty military, Native Americans, and veterans is subject to the discretion of the United States Congress; and

Whereas, Discretionary funding for health care lags behind both medical inflation and the increased demand for services; for example, the enrollment for veterans' health care increased 134 percent between fiscal years 1996 and 2004 yet funding increased only 34 percent during the same period when adjusted to 1996 dollars; and

Whereas, The Department of Veterans Affairs is the largest integrated health care system in the United States and has four critical health care missions: to provide health care to veterans, to educate and train health care personnel, to conduct medical research, and to serve as a backup to the United States Department of Defense and support communities in times of crisis; and

Whereas, The Department of Veterans Affairs operates 157 hospitals, with at least one in each of the contiguous states, Puerto Rico, and the District of Columbia; and

Whereas, The Department of Veterans Affairs operates more than 850 ambulatory care and community-based outpatient clinics, 132 nursing homes, 42 residential rehabilitation treatment programs, and 88 home care programs; and

Whereas, The Department of Veterans Affairs provides a wide range of specialized services to meet the unique needs of veterans, including spinal cord injury and dysfunction care and rehabilitation, blind rehabilitation, traumatic brain injury care, post-traumatic stress disorder treatment, amputee care and prosthetics programs, mental health and substance abuse programs, and long-term care programs; and

Whereas, The Department of Veterans Affairs health care system is severely underfunded, and had funding for the department's medical programs been allowed to grow proportionately as the system sought to admit newly eligible veterans following the eligibility reform legislation in 1996, the current veterans' health care budget would be approximately \$10 billion more; and

Whereas, In a spirit of bipartisan accommodation, members of the United States Congress should collectively resolve the problem of discretionary funding and jointly fashion an acceptable formula for funding the medical programs of the Department of Veterans Affairs; now, therefore, be it

*Resolved*, That the Senate of the State of Texas, 80th Legislature, hereby express its profound gratitude for the sacrifices made by veterans, including those who suffer from medical or mental health problems resulting from injuries that occurred while serving in the United States Armed Forces at home or abroad; and, be it further

*Resolved*, That the Senate hereby respectfully urge the Congress of the United States to support legislation for veterans' health care budget reform to allow assured funding; and, be it further

*Resolved*, That the Secretary of the Senate forward official copies of this Resolution to the Secretary of Veterans Affairs, to the President of the United States, to the Speaker of the House of Representatives and the President of the Senate of the United States Congress, and to all the members of the Texas delegation to the Congress with the request that this Resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUE, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 675. A bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes (Rept. No. 110-138).

By Mr. BIDEN, from the Committee on Foreign Relations, without amendment:

S. 1565. A bill to provide for the transfer of naval vessels to certain foreign recipients (Rept. No. 110-139).

By Mr. BAUCUS, from the Committee on Finance, with an amendment in the nature of a substitute:

S. 1607. A bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. Daniel J. Darnell, 0600, to be Lieutenant General.

Air Force nomination of Col. Lyn D. Sherlock, 8452, to be Brigadier General.

Air Force nomination of Maj. Gen. Donald C. Wurster, 1815, to be Lieutenant General.

Air Force nomination of Gen. Duncan J. McNabb, 2295, to be General.

Air Force nomination of Lt. Gen. Arthur J. Lichte, 5483, to be General.

Air Force nomination of Gen. John D. W. Corley, 9553, to be General.

Air Force nomination of Lt. Gen. Frank G. Klotz, 6089, to be Lieutenant General.

Air Force nominations beginning with Brigadier General Robert R. Allardice and ending with Brigadier General Robert M. Worley II, which nominations were received by the Senate and appeared in the Congressional Record on July 17, 2007.

Army nomination of Col. Brady S. MacNealy, 4551, to be Brigadier General.

Army nomination of Col. Michael J. Trombetta, 2104, to be Brigadier General.

Army nominations beginning with Brigadier General Charles A. Anderson and ending with Brigadier General Dennis L. Via, which nominations were received by the Senate and appeared in the Congressional Record on July 11, 2007.

Navy nomination of Rear Adm. (1h) Victor G. Guillory, 1980, to be Rear Admiral.

Navy nomination of Capt. David J. Mercer, 7160, to be Rear Admiral (lower half).